

AMENDED IN SENATE APRIL 21, 2003

AMENDED IN SENATE MARCH 26, 2003

**SENATE BILL**

**No. 908**

**Introduced by Senator Denham**

February 21, 2003

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An act to amend the heading of Article 79 (commencing with Section 21120) of Chapter 1.5 of Part 3 of Division 2 of, and to add Section 21122 to, the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 908, as amended, Denham. Monterey County Water Resources Agency: design-build contracts.

Existing law requires public entities to comply with certain procedures in soliciting and evaluating bids and awarding contracts for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement.

Existing law, operative until January 1, 2006, permits counties, with the approval of the board of supervisors, to enter into design-build contracts, as defined, in accordance with specified provisions.

Existing law requires the Monterey County Water Resources Agency to let all contracts for any improvement or unit of work that exceed \$5,000 to the lowest responsible bidder, using certain bidding procedures.

This bill would authorize the agency to enter into design-build contracts *for the construction of the Salinas River Diversion Facility*, with the approval of the board of directors, in accordance with specified provisions of existing law.

This bill would make legislative findings and declarations as to the necessity of a special statute.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The heading of Article 79 (commencing with  
2 Section 21120) of Chapter 1.5 of Part 3 of Division 2 of the Public  
3 Contract Code is amended to read:

4  
5 Article 79. Monterey County Water Resources Agency  
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7 SEC. 2. Section 21122 is added to the Public Contract Code,  
8 to read:

9 21122. Notwithstanding any other provision of law, upon the  
10 approval by the board of directors, the agency may use, for  
11 construction contracts *to construct the Salinas River Diversion*  
12 *Facility*, the procedures described in Section 20133, relating to  
13 design-build contracts.

14 SEC. 3. The Legislature finds and declares that a special law  
15 is necessary and that a general law cannot be made applicable  
16 within the meaning of Section 16 of Article IV of the California  
17 Constitution because of the unique need to build and modernize  
18 the facilities of the Monterey County Water Resources Agency.

